

BEFORE THE
DIVISION OF MEDICAL QUALITY
MEDICAL BOARD OF CALIFORNIA
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

In the Matter of the Accusation
Against:

LOUIS F. HYSNI, M.D.
13825 Camino Del Suelo
San Diego, California 92129

California Physician's and
Surgeon's Certificate No. A43336

Respondent.

No. D-5240


OAH No. N-09059

DECISION

The attached Proposed Decision of the Administrative Law
Judge is hereby adopted by the Medical Board of California as its
Decision in the above-entitled matter.

This Decision shall become effective on April 22, 1994.

IT IS SO ORDERED March 23, 1994.



THERESA CLAASSEN
Division of Medical Quality

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MEDICAL BOARD OF CALIFORNIA
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

In the Matter of the Accusation)	
Against:)	No. D-5240
)	
LOUIS F. HYSNI, M.D.)	OAH No. N-09059
13825 Camino Del Suelo)	
San Diego, California 92129)	
)	
California Physician's and)	
Surgeon's Certificate No. A43336)	
)	
)	
Respondent.)	
)	

PROPOSED DECISION

On December 13, 1993, in Sacramento, California, Leonard L. Scott, Administrative Law Judge, Office of Administrative Hearings, State of California, heard this matter.

Daniel J. Turner, Deputy Attorney General, represented the complainant.

There was no appearance by or on behalf of respondent Louis F. Hysni, M.D. Respondent filed a timely Request for a Hearing and Notice of Defense pursuant to Government Code section 11506. The matter was set for an evidentiary hearing before an Administrative Law Judge of the Office of Administrative Hearings, pursuant to Government Code section 11500, et. seq. Notice was duly given by the Board of the date, time and place of the hearing, pursuant to Government Code sections 11505 and 11509. Respondent did not appear at the hearing, was not

otherwise represented, and good cause was not established for that failure to appear. The matter was heard as a default, pursuant to Government Code section 11520.

Evidence was received, the record was closed and the matter was submitted.

FINDINGS OF FACT

I

Dixon Arnett, Executive Director of the Medical Board of California (Board), filed the Accusation against respondent. Arnett acted in his official capacity.

II

On December 15, 1986, the Board issued physician's and surgeon's certificate number A43336 to respondent. It expired on May 31, 1992, and has not been renewed due to non-payment of renewal fees.

III

On or about January 14, 1992, the United States Department of the Navy (Navy) adopted the recommendations of a Peer Review Panel and terminated respondent's appointment and clinical privileges at the Naval Hospital in San Diego, California, because of respondent's impaired medical condition due to multiple sclerosis and because he possessed inadequate clinical knowledge and skills to function at the Marine Corps Recruit Depot.

The Peer Review Panel held hearings on October 8 and 25, 1991, regarding allegations that respondent: lacked adequate clinical knowledge and skills; was unable to learn and retain new information and had limited recall of old information; and made inappropriate statements and had episodes of spontaneous, uncontrolled laughter that was disruptive to patient care. The Peer Review Panel found all three allegations to be true.

DETERMINATION OF ISSUES


I

Cause for discipline of respondent's physician and surgeon's certificate was established pursuant to Business and Professions Code sections 2234 and 2305 by reason of Finding III.

ORDER

The physician's and surgeon's certificate, number A43336, which was issued to respondent Louis F. Hysni, M.D. is revoked.

Dated: January 14, 1994


LEONARD L. SCOTT
Administrative Law Judge
Office of Administrative Hearings

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of the State of California
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6 Attorneys for Complainant
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10 BEFORE THE
DIVISION OF MEDICAL QUALITY
11 MEDICAL BOARD OF CALIFORNIA
DEPARTMENT OF CONSUMER AFFAIRS
12 STATE OF CALIFORNIA

13 In the Matter of the Accusation
Against:

14 LOUIS F. HYSNI, M.D.
15 13825 Camino Del Suelo
San Diego, California 92129

16 California Physician and
17 Surgeon Certificate
No. A43336

18 Respondent.
19

NO.D 5240

ACCUSATION

20 Dixon Arnett, for causes for discipline, alleges:

21 1. Complainant Dixon Arnett makes and files this
22 accusation solely in his official capacity as Executive Director
23 of the Medical Board of California (hereinafter referred to as
24 the "Board") and not as otherwise.

25 2. On December 15, 1986, the Medical Board of
26 California issued physician and surgeon certificate number A43336
27 to Louis F. Hysni, M.D. The certificate will expire May 31,

1 1994.

2 3. Under Business and Professions Code section 2234,
3 the Division of Medical Quality shall take action against any
4 licensee who is charged with unprofessional conduct.

5 4. Under Business and Professions Code section 2305,
6 the revocation, suspension, or restriction of the authority to
7 practice medicine by any agency of the federal government to a
8 licensee shall constitute unprofessional conduct against such
9 licensee in this state.

10 5. Respondent has subjected his physician and surgeon
11 certificate to discipline under Business and Professions Code
12 sections 2234 and 2305, in that on or about January 14, 1992,
13 the Department of the Navy terminated the respondent's
14 appointment and clinical privileges at the Naval Hospital in San
15 Diego due to an impaired medical condition, multiple sclerosis
16 and found that he possessed inadequate clinical knowledge and
17 skills to function at the Marine Corps Recruit Depot.

18 WHEREFORE, complainant prays a hearing be held and that
19 the Medical Board of California make its order:

20 1. Revoking or suspending physician and surgeon
21 certificate No. A43336, issued to Louis F. Hynsi, M.D.

22 2. Prohibiting Louis F. Hynsi, M.D. from supervising
23 physicians assistants.

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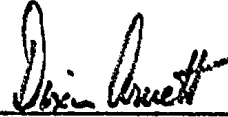
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1 3. Taking such other and further action as may be
2 deemed proper and appropriate.

3 Dated: June 2, 1993

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5 DIXON ARNETT
6 Executive Director
7 Medical Board of California
8 Division of Medical Quality
9 Department of Consumer Affairs
10 State of California

11 Complainant

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18 Kaye Antel-Berenson

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